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Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

ZONING BOARD OF APPEALS MEETING

Wednesday, March 13, 2024, at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Priebe called the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

Members PRESENT:

Brian Ignatowski
Jason Negri
Joyce Priebe, Chair
Benedict Russell

ABSENT:

William Rill

CONSENT AGENDA

Approval motion made by Treasurer Negri, seconded by Member Ignatowski, to approve the agenda for tonight as presented.

Voice Vote: Ayes: (4)

Absent: (1)

VOTE: MOTION CARRIED UNANIMOUSLY

GENERAL CALL TO THE PUBLIC

Bob with Bernell Construction came up to the podium to thank the ZBA committee members for saying the pledge of allegiance. He said he was a resident, pastor, and a Vietnam Veteran.

NEW BUSINESS

1. ZBA 2024-002

- Owner: Dave & Joey Groh
Location: 6365 Riverdale
Parcel ID: 4715-23-306-020
Request: Variance application to permit the construction of an addition, second story and deck. Applicant requests four variances.
- 1) 85-foot variance from the required 125 feet natural rivers setback, per section 36-175(e)(1).
 - 2) 1.7-foot variance from the required side yard setback of 10 ft., per Section 36-186(G).
 - 3) 2-inch variance from the required side yard setback of 10 ft., per Section 36-186(G).
 - 4) 3.6-foot variance for 10 feet building to building requirement, per Section 36-215(4).

Chair Priebe welcomed the applicant or builder to come to the podium to address the ZBA members. Bob from Brinell Construction came up to the podium and stated that the applicant is looking to make do this project to make this their retirement home. They currently live in the Metro Detroit area. This property was David's cousin's property where she lived for 20 years and raised her daughter. She died from cancer last summer, so they wanted to keep the property in the family.

Chair Priebe opened the meeting to David Rohr, the Planning and Zoning Director, for his ZBA report on this case. David let the members know that this home is nonconforming on a split zoned lot between the Natural Rivers (NR) and Waterfront Residential (WFR) districts. Due to this unique situation, any addition would require a variance. The current home is only 50 feet from the river and is nonconforming. He talked to all four variances that were being requested for this project. David stated that this home is like most homes along the river here so granting this variance would not create anything out of place or unusual.

Chair Priebe opened the case public hearing but since there were no audience members, she closed the meeting. She began the member portion of the meeting by stating that the length of the parcel was only 123 feet, and the Natural River setback is 125 feet, which was mandated by the state. She welcomed Benjamin Russell who is new to the ZBA. She then explained that the ZBA looks at practical difficulties from our zoning ordinance for cases and offers relief from them. Chair Priebe invited the other members to ask questions. Treasurer Negri asked David about the 1.7 feet variance since they were building up. David explained that the home was already nonconforming to the side lot and by going up, they were making the home even more nonconforming and thus they needed this variance. Chair Priebe reminded the builder and the owners that they would have to work with the Livingston County Building Dept to ensure that the garage was built with fire resistant materials since the two structures were being built closer than 10 feet from one another. Both members Ignatowski and Russell had no further comments. Chair Priebe shared that the Planning and Zoning Department received two emails in support of this project. The emails were from Chuck Menzies and Robert Hopper, the neighbors on either side of this property.

Treasurer Negri asked Benjamin Russell if he wanted to do the motion. He said sure.

Approval motion by Member Russell, seconded by Member Ignatowski, to approve variance application ZBA 24-002 at 6365 Riverdale Dr (TID 15-23-306-020) for four variances. One, 85-foot variance from the required 125 feet

natural rivers setback, per section 36-175(e)(1); Two, a 1.7-foot variance from the required side yard setback of 10 ft., per Section 36-186(G); Three, 2-inch variance from the required side yard setback of 10 ft., per Section 36-186(G); and Four, 3.6-foot variance for 10 feet building to building requirement, per Section 36-215(4).

The variances meet variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject site when strict compliance with the Zoning Ordinance standards is applied, as discussed at the meeting this evening, and as presented in the staff report.

Voice Vote: Ayes: (4) Absent: (1)

VOTE: MOTION CARRIED

APPROVAL OF THE MEETING MINUTES

Approval motion by Treasurer Negri, seconded by Member Ignatowski, to approve the January 10, 2024, meeting minutes with amendment given by Member Ignatowski.

Voice Vote: Ayes: (4) Absent: (1)

VOTE: MOTION CARRIED.

ZONING ADMINISTRATOR'S REPORT

1. Annual Joint Meeting (April 2, 2024, at 7pm).
2. Next ZBA Meeting in April will have two agenda items.

ADJOURNMENT

Approval motion made by Member Ignatowski, Seconded by Treasurer Negri to adjourn the meeting at 8:19pm.

Voice Vote: Ayes: (4) Absent: (1)

VOTE: MOTION CARRIED.

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: 4-10-24


Joyce Priebe, Chair